

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1-7 are pending in this case.

In the outstanding Office Action, Claims 1-3 and 4 were rejected under 35 U.S.C. § 102(b) as anticipated by Widen, et al. (U.S. Patent No. 5,293,355, herein “Widen”)¹; Claims 4, 5, and 7 were rejected under 35 U.S.C. § 102(b) as anticipated by Galison (U.S. Patent No. 5,245,590); Claim 3 was rejected under 35 U.S.C. § 103(a) as unpatentable over Widen; and Claim 6 was indicated as allowable.

Applicants gratefully acknowledge the indication of allowability for Claim 6 and respectfully traverse the rejections of Claims 1-5 and 7.

The outstanding Office Action asserts Widen as teaching every element of Claim 1.

However, Widen does not teach or suggest “**controlling image processing of an image** in the main operation display area **consistent with the age of the moon.**” One of ordinary skill in the electronic apparatus display art readily recognizes “**image processing of an image**” as **distinct from the image itself.**

At the Response to Arguments, at page 5, the outstanding Office Action asserts that “image processing” has no restricted definition in standard literature to preclude an assertion that changing an image is image processing. However, the outstanding Office Action repeatedly discusses “processing of an image” rather than “image processing of an image” as claimed. Applicants respectfully submit that, while “processing of an image” can include displaying of an image, “image processing of an image” is known in the art as modifying an existing image, by changing the contrast of the image, for example, rather than changing the

¹ The outstanding Office Action does not list Claim 3 as rejected under 35 U.S.C. § 102(b), at page 2, but discusses Claim 3 along with Claim 2 at page 3.

image itself. Further, if image processing is reasonably interpreted as processing of an image, then “image processing of an image,” as recited by Claim 1, would mean processing of an image of an image, which is clearly not intended, unless “image” is completely omitted from consideration in the recitation of “image processing of an image.”

With regard to Claim 1, the outstanding Office Action asserts, at page 2, that image processing of the water level image is consistent with the age of the moon in Widen. However, at every place in Widen that the water level image 109 is discussed – column 4, lines 62-67, column 5, lines 5-6, column 7, lines 25-29, and column 8, lines 13-15 – **only the image** itself is described as varying in height by twelfths, but the **image processing of the water level image 109 is not** described as being **controlled** at all, let alone controlled “consistent with the age of the moon.”

Because Widen does not teach or suggest at least the above-discussed features of Claim 1, Applicant respectfully requests that the rejection under 35 U.S.C. § 102(b) of Claim 1 and Claim 2, which depends therefrom, be withdrawn.

Claim 4, though differing in scope from Claim 1, patentably defines over Widen for similar reasons as Claim 1. Thus, Applicants respectfully request that the rejection of Claim 4 under 35 U.S.C. § 102(b) be withdrawn.

With regard to the rejection of Claim 4 based on Galison, Applicants again emphasize that “controlling...**image processing of image output**” cannot reasonably be interpreted as processing an image output by one of ordinary skill in the art. Instead, interpreting “image processing of image output” as processing of image output represents omission of the claimed term “image” from consideration.

Because Galison describes changing the image displayed based on the phase of the moon but does not teach or suggest “controlling at least one of image processing of image output...or audio processing of audio output...consistent with the age of the moon,” as

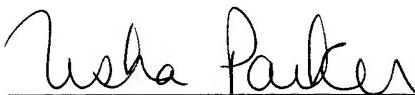
recited by Claim 4, Applicants respectfully request that the rejection under 35 U.S.C. § 102(b) of Claim 4 and Claims 5 and 7, which depend therefrom, be withdrawn.

Claim 3 depends from Claim 1 and, therefore, patentably defines over Widen for at least the same reasons as Claim 1. Further, the assertion that receiving moon phase information from an external network would be obvious does not cure the deficiencies of Widen at least with respect to Claim 1. Thus, Applicants respectfully request that the rejection of Claim 3 under 35 U.S.C. § 103(a) be withdrawn.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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